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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,880	12/24/2003	James Zhuge	87421.1500	9356

7590 08/23/2007  
BAKER & HOSTETLER LLP  
Washington Square  
Suite 1100  
1050 Connecticut Avenue, N.W.  
WASHINGTON, DC 20036

EXAMINER
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WASEL, MOHAMED A

ART UNIT	PAPER NUMBER
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2154

MAIL DATE	DELIVERY MODE
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08/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/743,880	<b>Applicant(s)</b> ZHUGE ET AL.	
	<b>Examiner</b> Mohamed Wasel	<b>Art Unit</b> 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.  
2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-24 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some    \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This action is responsive to application filed on December 24, 2003. Claims 1-24 are presented for examination.

#### Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 10, 11, 18 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "**without a security problem**" in line 3 of claim 2 renders the claim indefinite because it is unclear to the Examiner what it pertains to.

Claims 3, 10, 11, 18 and 19 are rejected under the same rationale and reasoning as claim 2.

#### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Papadopoulos et al, (hereinafter referred to as " Papadopoulos") US Patent Application Pub. No. 2003/0139821.

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1. As per claim 1, Papadopoulos teaches a method for remotely accessing a system (Paragraph(s) [0008]), the method comprising:  
  
receiving security information from a first client over a network (Paragraph(s) [0010], [0018]);  
  
receiving a query from a second client requesting access to the first client over a network (Paragraph(s) [0020-0021]);  
  
prompting the second client for security information to allow access to the first client and enabling the second client access to the first client based on the security information provided by the second client (Paragraph(s) [0021], [0043-0044]).
2. As per claim 2, Papadopoulos teaches the method wherein the enabling step comprises connecting the second client to the first client without a security problem (Paragraph(s) [0021]).
3. As per claim 3, Papadopoulos teaches the method wherein the enabling step comprises connecting the second client through a firewall on the first client without a security problem (Paragraph(s) [0021]).
4. As per claim 4, Papadopoulos teaches the method wherein the enabling step comprises connecting the second client through a firewall on the first client using SOAP and HTTP protocols (Paragraph(s) [0011], [0021]).
5. As per claim 5, Papadopoulos teaches the method further comprising enabling multiple clients to connect to the first client through a Singleton object (Paragraph(s) [0005]).
6. As per claim 6, Papadopoulos teaches the method further comprising enabling the second client to access a system on the first client (Paragraph(s) [0044]).
7. As per claim 7, Papadopoulos teaches the method further comprising enabling the second client to access a controller system on the first client (Paragraph(s) [0043]).
8. As per claim 8, Papadopoulos teaches the method further comprising enabling the second client to access a controller system on the first client based on security information provided by the second client (Paragraph(s) [0043-0044]).
9. The set of claims 9-16 are rejected under the same rationale as the set of claims 1-8.

10. As per claim 17, Papadopoulos teaches a device that remotely accesses a system, the device comprising:

a web server (Paragraph(s) [0021], Fig. 2 element 30) that receives security information from a first client over a network (Paragraph(s) [0010], [0018]);

a web form (Paragraph(s) [0011]; web interface provides access to the PLC back plane by a user at a remote location through the Internet ) that receives a query from a second client requesting access to the first client over a network (Paragraph(s) [0020-0021]);

said web server prompting the second client for security information to allow access to the first client and a web service that enables the second client access to the first client based on the security information provided by the second client (Paragraph(s) [0021], [0043], [0044]; protection of the configuration file is provided by a remote server and a web server through a password and a user list wherein a client interface allows a user to send commands to a remote node over the Internet for controlling PLC from remote site in real-time)

11. The set of claims 18-24 are rejected under the same rationale as the set of claims 2-8.

### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Wasel whose telephone number is (571)272-2669. The examiner can normally be reached on Mon-Fri (8:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MW  
August 18, 2007



**JOHN FOLLANSBEE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**